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Attorney for Plaintiff
MEGAN KELLY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MEGAN KELLY,

Plaintiff,

vs.

APPLERA CORPORATION and DOES 1-20,
inclusive,

Defendants.

Case No.: C-07-3002 MMC

**PLAINTIFF'S RE-NOTICE OF MOTION
AND MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Date: July 25, 2008

Time: 9:00 a.m.

Courtroom 7, 19th Floor

The Honorable Maxine M. Chesney

NOTICE IS HEREBY GIVEN that on July 25, 2008 at 9:00 a.m. in Courtroom 7 of the United States District Court for the Northern District of California, located at 450 Golden Gate Avenue, San Francisco, CA, plaintiff Megan Kelly will move the Court for an order granting partial summary judgment as to the following matters:

- (1) During January 2006, plaintiff Megan Kelly had a "known physical disability or known medical condition" within the meaning of Govt. Code § 12940(n);
- (2) During January 2006, plaintiff Megan Kelly made a request for reasonable accommodation, and was willing to participate in an interactive process with Applera;

1 (3) Applera failed to engage in a timely, good faith interactive process in response to
2 plaintiff's January 2006 request for accommodation.

3 The evidence regarding these matters is undisputed. Wherefore, plaintiff respectfully
4 requests that she be granted partial summary judgment as to each of these three issues.
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7 DATED: June 23, 2008

LAW OFFICES OF MAUREEN E. MCFADDEN

8 By: 
9 Maureen E. McFadden

10 Attorney for Plaintiff
11 MEGAN KELLY
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